

## **REMARKS**

### **I. General Remarks**

The Examiner notes that Japanese Patent Application No. 11(1999)-372978 ("JP '978") mentioned on page 9, line 18 of the specification was left out of the PTO-Form 1449, filed in conjunction with the IDS filed on November 7, 2001.

Applicants note that JP '978 was abandoned without publication and is therefore not available as prior art with respect to the present application. Japanese Patent Application No. 2000-400426 ("JP '426") was filed in the Japanese Patent Office on December 28, 2000, claiming priority from JP '978. JP '426 was published on September 21, 2001 as Japanese Unexamined Patent Publication No. 2001-255610 ("JP Pub. '610"). Applicants note that the publication date of this reference is not more than one year before the U.S. filing date of the present application and not before the foreign priority date of the present application, and therefore is not available as prior art with respect to the present application. United States Patent Application No. 09/749,623 ("U.S. App. '623") was filed at the USPTO on December 28, 2000, corresponding to JP '978, and was published on September 20, 2001 as U.S. Patent Publication No. 2001/002,349 ("U.S. Pub. '349"). Applicants note that the filing date of U.S. App. '623 is after the foreign priority date of the present application, that the publication date of U.S. App. '623 is not more than one year before the U.S. filing date of the present application and not before the foreign priority date of the present application. Therefore, this reference is likewise not available as prior art with respect to the present invention.

For the above reasons, Applicants have not included the JP '978 reference, mentioned on page 9, line 18 of the specification, in a PTO-Form 1449 or an IDS.

## **II. Claims**

New Claim 6 is added with this Amendment. Therefore, Claims 1-6 are all the claims currently pending in the present application.

Claims 1-5. The Examiner indicates that Claims 1-5 contain allowable subject matter and would be allowed if rewritten to overcome the current rejection of Claims 1-5 under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as his invention.

Applicants amend Claim 1, as suggested by the Examiner and as shown herein, in order to overcome the §112 rejection of Claims 1-5. Applicants respectfully submit that all of Claims 1-5 are currently in condition for allowance in view of the self-explanatory, non-limiting amendments noted above, and request that the Examiner withdraw the §112 rejection from Claims 1-5.

New Claim 6. Applicants add new Claim 6 in order more fully to cover various aspects of Applicants' invention as disclosed in the specification.

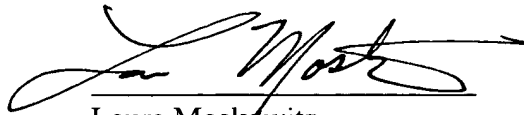
## **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Appln. 09/986,152  
ATTORNEY DOCKET NO. Q66868

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Laura Moskowitz', written over a horizontal line.

Laura Moskowitz  
Registration No. P-55,470

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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